

COMMITTEE AMENDMENT

[STAFF WORKING DRAFT]

September 17, 2002

Purpose: To amend the Professional Boxing Safety Act of 1996, and to establish the United States Boxing Administration.

**IN THE COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION**—107TH Cong., 2D Sess.

S. 2550, 107TH Congress, 2D Session

SEPTEMBER 19, 2002

INTENDED to be proposed by Mr. MCCAIN for himself and
Mr. DORGAN

Viz: Strike out all after the enacting clause and insert the
following:

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Professional Boxing Amendments Act of 2002”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Amendment of Professional Boxing Safety Act of 1996.
- Sec. 3. Definitions.
- Sec. 4. Purposes.
- Sec. 5. Matches in jurisdictions without commissions.
- Sec. 6. Safety standards.
- Sec. 7. Registration.
- Sec. 8. Review.
- Sec. 9. Reporting.
- Sec. 10. Contract requirements.
- Sec. 11. Coercive contracts.
- Sec. 12. Sanctioning organizations.
- Sec. 13. Required disclosures by sanctioning organizations.
- Sec. 14. Required disclosures by promoters.
- Sec. 15. Judges and referees.
- Sec. 16. Medical registry.
- Sec. 17. Conflicts of interest.
- Sec. 18. Enforcement.
- Sec. 19. Repeal of deadwood.
- Sec. 20. Recognition of tribal law.

Sec. 21. Establishment of United States Boxing Administration.
Sec. 22. Effective date.

1 **SEC. 2. AMENDMENT OF PROFESSIONAL BOXING SAFETY**

2 **ACT OF 1996.**

3 Except as otherwise expressly provided, whenever in
4 this title an amendment or repeal is expressed in terms
5 of an amendment to, or repeal of, a section or other provi-
6 sion, the reference shall be considered to be made to a
7 section or other provision of the Professional Boxing Safe-
8 ty Act of 1996 (15 U.S.C. 6301 et seq.).

9 **SEC. 3. DEFINITIONS.**

10 (a) IN GENERAL.—Section 2 (15 U.S.C. 6301) is
11 amended to read as follows:

12 **“SEC. 2. DEFINITIONS.**

13 “In this Act:

14 “(1) ADMINISTRATION.—The term ‘Administra-
15 tion’ means the United States Boxing Administra-
16 tion.

17 “(2) BOUT AGREEMENT.—The term ‘bout
18 agreement’ means a contract between a promoter
19 and a boxer which requires the boxer to participate
20 in a professional boxing match with a designated op-
21 ponent on a particular date.

22 “(3) BOXER.—The term ‘boxer’ means an indi-
23 vidual who fights in a professional boxing match.

1 “(4) BOXING COMMISSION.—The term ‘boxing
2 commission’ means an entity authorized under State
3 or tribal law to regulate professional boxing
4 matches.

5 “(5) BOXER REGISTRY.—The term ‘boxer reg-
6 istry’ means any entity certified by the Association
7 of Boxing Commissions for the purposes of main-
8 taining records and identification of boxers.

9 “(6) BOXING SERVICE PROVIDER.—The term
10 ‘boxing service provider’ means a promoter, man-
11 ager, sanctioning body, licensee, or matchmaker.

12 “(7) CONTRACT PROVISION.—The term ‘con-
13 tract provision’ means any legal obligation between
14 a boxer and a boxing service provider.

15 “(8) INDIAN LANDS; INDIAN TRIBE.—The
16 terms ‘Indian lands’ and ‘Indian tribe’ have the
17 meanings given those terms by paragraphs (4) and
18 (5), respectively, of section 4 of the Indian Gaming
19 Regulatory Act (25 U.S.C. 2703).

20 “(9) LICENSEE.—The term ‘licensee’ means an
21 individual who serves as a trainer, second, or cut
22 man for a boxer.

23 “(10) LOCAL BOXING AUTHORITY.—The term
24 ‘local boxing authority’ means—

1 “(A) any agency of a State, or of a polit-
2 ical subdivision of a State, that has authority
3 under the laws of the State to regulate profes-
4 sional boxing; and

5 “(B) any agency of an Indian tribe that is
6 authorized by the Indian tribe or the governing
7 body of the Indian tribe to regulate professional
8 boxing on Indian lands.

9 “(11) MANAGER.—The term ‘manager’ means a
10 person who, under contract, agreement, or other ar-
11 rangement with a boxer, undertakes to control or
12 administer, directly or indirectly, a boxing-related
13 matter on behalf of that boxer, including a person
14 who is a booking agent for a boxer.

15 “(12) MATCHMAKER.—The term ‘matchmaker’
16 means a person that proposes, selects, and arranges
17 the boxers to participate in a professional boxing
18 match.

19 “(13) PHYSICIAN.—The term ‘physician’ means
20 a doctor of medicine legally authorized to practice
21 medicine by the State in which the physician per-
22 forms such function or action.

23 “(14) PROFESSIONAL BOXING MATCH.—The
24 term ‘professional boxing match’ means a boxing
25 contest held in the United States between individ-

1 uals for financial compensation. The term ‘profes-
2 sional boxing match’ does not include a boxing con-
3 test that is regulated by a duly recognized amateur
4 sports organization, as approved by the Administra-
5 tion.

6 “(15) PROMOTER.—The term ‘promoter’ means
7 the person primarily responsible for organizing, pro-
8 moting, and producing a professional boxing match.
9 The term ‘promoter’ does not include a premium or
10 other cable or satellite program service, hotel, ca-
11 sino, resort, or other commercial establishment
12 hosting or sponsoring a professional boxing match
13 unless—

14 “(A) the premium or other cable or sat-
15 ellite program service, hotel, casino, resort, or
16 other commercial establishment has a pro-
17 motional agreement with a boxer in the match;
18 and

19 “(B) there is no other person primarily re-
20 sponsible for organizing, promoting, and pro-
21 ducing the match not affiliated with the pre-
22 mium or other cable or satellite program serv-
23 ice, hotel, casino, resort, or other commercial
24 establishment.

1 “(16) PROMOTIONAL AGREEMENT.—The term
2 ‘promotional agreement’ means a contract between a
3 any person and a boxer under which the boxer
4 grants to that person the right to secure and ar-
5 range all professional boxing matches requiring the
6 boxer’s services for—

7 “(A) a prescribed period of time; or

8 “(B) a prescribed number of professional
9 boxing matches.

10 “(17) STATE.—The term ‘State’ means each of
11 the 50 States, Puerto Rico, the District of Columbia,
12 and any territory or possession of the United States,
13 including the Virgin Islands.

14 “(18) EFFECTIVE DATE OF THE CONTRACT.—
15 The term ‘effective date of the contract’ means the
16 day upon which a boxer becomes legally bound by
17 the contract.

18 “(19) SANCTIONING ORGANIZATION.—The term
19 ‘sanctioning organization’ means an organization,
20 other than a boxing commission, that sanctions pro-
21 fessional boxing matches, ranks professional boxers,
22 or charges a sanctioning fee for professional boxing
23 matches in the United States—

24 “(A) between boxers who are residents of
25 different States; or

1 under the jurisdiction of that tribal organization. If the
2 match is regulated by the Association of Boxing Commis-
3 sions, the match shall be regulated in accordance with the
4 guidelines established by the United States Boxing Admin-
5 istration. If the match is regulated by a boxing commis-
6 sion from a State other than the State within the borders
7 of which the Indian land is located, the match shall be
8 regulated in accordance with the applicable requirements
9 of the State where the match is held.

10 “(c) STANDARDS AND LICENSING.—A tribal organi-
11 zation that establishes a boxing commission shall, by tribal
12 ordinance or resolution, establish and provide for the im-
13 plementation of health and safety standards, licensing re-
14 quirements, and other requirements relating to the con-
15 duct of professional boxing matches that are at least as
16 restrictive as—

17 “(1) the otherwise applicable requirements of
18 the State in which the Indian land on which the pro-
19 fessional boxing match is held is located; or

20 “(2) the guidelines established by the United
21 States Boxing Administration.”.

22 **SEC. 4. PURPOSES.**

23 Section 3(2) (15 U.S.C. 6302(2)) is amended by
24 striking ‘State’.

1 **SEC. 5. MATCHES IN JURISDICTIONS WITHOUT COMMIS-**
2 **SIONS.**

3 (a) IN GENERAL.—Section 4 (15 U.S.C. 6303) is
4 amended to read as follows:

5 **“SEC. 4. BOXING MATCHES IN JURISDICTIONS WITHOUT**
6 **BOXING COMMISSIONS.**

7 “(a) IN GENERAL.—No person may arrange, pro-
8 mote, organize, produce, or fight in a professional boxing
9 match within the United States unless the match—

10 “(1) is approved by the Administration; and

11 “(2) is supervised by the Association of Boxing
12 Commissions or by a boxing commission that is a
13 member of the Association of Boxing Commissions.

14 “(b) APPROVAL PRESUMED.—For purposes of sub-
15 section (a), the Administration shall be presumed to have
16 approved any match other than—

17 “(1) a match with respect to which the Admin-
18 istration been informed of a violation of this Act and
19 with respect to which it has notified the supervising
20 boxing commission that it does not approve;

21 “(2) a match advertised to the public as a
22 championship match; or

23 “(3) a match scheduled for 10 rounds or more.

24 “(c) NOTIFICATION; ASSURANCES.—Each promoter
25 who intends to hold a professional boxing match in a State
26 that does not have a boxing commission shall, not later

1 than 14 days before the intended date of that match, pro-
2 vide assurances in writing to the Administration and the
3 supervising boxing commission that all applicable require-
4 ments of this Act will be met with respect to that profes-
5 sional boxing match.”.

6 (b) CONFORMING AMENDMENT.—Section 19 (15
7 U.S.C. 6310) is repealed.

8 **SEC. 6. SAFETY STANDARDS.**

9 Section 5 (15 U.S.C. 6304) is amended—

10 (1) by striking “requirements or an alternative
11 requirement in effect under regulations of a boxing
12 commission that provides equivalent protection of
13 the health and safety of boxers:” and inserting “re-
14 quirements:”;

15 (2) by adding at the end of paragraph (1) “The
16 examination shall include testing for infectious dis-
17 eases in accordance with standards established by
18 the Administration.”;

19 (3) by striking paragraph (2) and inserting the
20 following:

21 “(2) An ambulance continuously present on
22 site.”;

23 (4) by redesignating paragraphs (3) and (4) as
24 paragraphs (4) and (5), respectively, and inserting
25 after paragraph (2) the following:

1 “(3) Emergency medical personnel with appro-
2 priate resuscitation equipment continuously present
3 on site.”; and

4 (5) by striking “match.” in paragraph (5), as
5 redesignated, and inserting “match in an amount
6 prescribed by the Administration.”.

7 **SEC. 7. REGISTRATION.**

8 Section 6 (15 U.S.C. 6305) is amended—

9 (1) by inserting “or Indian tribe” after “State”
10 the second place it appears in subsection (a)(2);

11 (2) by striking the first sentence of subsection
12 (c) and inserting “A boxing commission shall, in ac-
13 cordance with requirements established by the Ad-
14 ministration, make a health and safety disclosure to
15 a boxer when issuing an identification card to that
16 boxer.”;

17 (3) by striking “should” in the second sentence
18 of subsection (c) and inserting “shall, at a min-
19 imum,”; and

20 (4) by adding at the end the following:

21 “(d) COPY OF REGISTRATION TO BE SENT TO AD-
22 MINISTRATION.—A boxing commission shall furnish a
23 copy of each registration received under subsection (a) to
24 the Administration.”.

1 **SEC. 8. REVIEW.**

2 Section 7 (15 U.S.C. 6306) is amended—

3 (1) by striking paragraphs (3) and (4) of sub-
4 section (a) and inserting the following:

5 “(3) Procedures to review a summary suspen-
6 sion when a hearing before the boxing commission is
7 requested by a boxer, licensee, manager, match-
8 maker, promoter, or other boxing service provider
9 which provides an opportunity for that person to
10 present evidence.”;

11 (2) by striking subsection (b); and

12 (3) by striking “(a) PROCEDURES.—”.

13 **SEC. 9. REPORTING.**

14 Section 8 (15 U.S.C. 6307) is amended—

15 (1) by striking “48 business hours” and insert-
16 ing “2 business days”; and

17 (2) by striking “each boxer registry.” and in-
18 serting “the Administration.”.

19 **SEC. 10. CONTRACT REQUIREMENTS.**

20 Section 9 (15 U.S.C. 6307a) is amended to read as
21 follows:

22 **“SEC. 9. CONTRACT REQUIREMENTS.**

23 “(a) IN GENERAL.—The Administration, in consulta-
24 tion with the Association of Boxing Commissions, shall de-
25 velop guidelines for minimum contractual provisions that
26 shall be included in each bout agreement, boxer-manager

1 contract, and promotional agreement. Each boxing com-
2 mission shall ensure that these minimal contractual provi-
3 sions are present in any such agreement or contract sub-
4 mitted to it.

5 “(b) FILING AND APPROVAL REQUIREMENTS.—

6 “(1) ADMINISTRATION.—A manager or pro-
7 moter shall submit a copy of each boxer-manager
8 contract and each promotional agreement between
9 that manager or promoter and a boxer to the Ad-
10 ministration.

11 “(2) BOXING COMMISSION.—A boxing commis-
12 sion may not approve a professional boxing match
13 unless a copy of the bout agreement related to that
14 match has been filed with it and approved by it.

15 “(c) BOND OR OTHER SURETY.—A boxing commis-
16 sion may not approve a professional boxing match unless
17 the promoter of that match has posted a surety bond,
18 cashier’s check, letter of credit, cash, or other security
19 with the boxing commission in an amount acceptable to
20 the boxing commission.”.

21 **SEC. 11. COERCIVE CONTRACTS.**

22 Section 10 (15 U.S.C. 6307b) is amended—

23 (1) by striking paragraph (3) of subsection (a);

24 (2) by inserting “or elimination” after “manda-
25 tory” in subsection (b).

1 **SEC. 12. SANCTIONING ORGANIZATIONS.**

2 (a) IN GENERAL.—Section 11 (15 U.S.C. 6307c) is
3 amended to read as follows:

4 **“SEC. 11. SANCTIONING ORGANIZATIONS.**

5 “(a) OBJECTIVE CRITERIA.—Within 1 year after the
6 date of enactment of the Professional Boxing Amendments
7 Act of 2002, the Administration, in consultation with the
8 Association of Boxing Commissions, shall develop guide-
9 lines for objective and consistent written criteria for the
10 rating of professional boxers based on the athletic merits
11 of the boxers. Within 90 days after the Administration’s
12 promulgation of the guidelines, each sanctioning organiza-
13 tion shall adopt the guidelines and follow them.

14 “(b) NOTIFICATION OF CHANGE IN RATING.—A
15 sanctioning organization shall, with respect to a change
16 in the rating of a boxer previously rated by such organiza-
17 tion in the top 10 boxers—

18 “(1) post a copy, within 7 days after the
19 change, on its Internet website or home page, if any,
20 including an explanation of the change, for a period
21 of not less than 30 days;

22 (2) provide a copy of the rating change and an
23 explanation to the boxer and the Administration;

24 “(3) provide the boxer an opportunity to appeal
25 the ratings change; and

1 “(4) apply the objective criteria for ratings re-
2 quired under subsection (a) in considering any such
3 appeal.

4 “(c) CHALLENGE OF RATING.—If a sanctioning orga-
5 nization receives an inquiry from a boxer challenging that
6 organization’s rating of the boxer, it shall (except to the
7 extent otherwise required by the Administration), within
8 7 days after receiving the request—

9 “(1) provide to the boxer a written explanation
10 of the organization’s rating criteria, its rating of the
11 boxer, and the rationale or basis for its rating (in-
12 cluding a response to any specific questions sub-
13 mitted by the boxer); and

14 “(2) submit a copy of its explanation to the As-
15 sociation of Boxing Commissions and the Adminis-
16 tration.”.

17 **SEC. 13. REQUIRED DISCLOSURES BY SANCTIONING ORGA-**
18 **NIZATIONS.**

19 Section 12 (15 U.S.C. 6307d) is amended—

20 (1) by striking the matter preceding paragraph
21 (1) and inserting “Within 7 days after a professional
22 boxing match of 10 rounds or more, the sanctioning
23 organization for that match shall provide to the box-
24 ing commission in the State or on Indian land re-

1 sponsible for regulating the match, and to the Ad-
2 ministration, a statement of—”;

3 (2) by striking “will assess” in paragraph (1)
4 and inserting “has assessed, or will assess,”; and

5 (3) by striking “will receive” in paragraph (2)
6 and inserting “has received, or will receive,”.

7 **SEC. 14. REQUIRED DISCLOSURES BY PROMOTERS.**

8 Section 13 (15 U.S.C. 6307e) is amended—

9 (1) by striking the matter in subsection (a) pre-
10 ceding paragraph (1) and inserting the following:

11 “(a) DISCLOSURES TO BOXING COMMISSIONS AND
12 ADMINISTRATION.—Within 7 days after a professional
13 boxing match of 10 rounds or more, the promoter of any
14 boxer participating in that match shall provide to the box-
15 ing commission in the State or on Indian land responsible
16 for regulating the match, and to the Administration, a
17 statement of—”;

18 (2) by striking “writing,” in subsection (a)(1)
19 and inserting “writing, other than a bout agreement
20 previously provided to the commission,”;

21 (3) by striking “all fees, charges, and expenses
22 that will be” in subsection (a)(3)(A) and inserting
23 “a statement of all fees, charges, and expenses that
24 have been, or will be,”;

1 (4) by striking the matter in subsection (b) fol-
2 lowing “BOXER.—” and preceding paragraph (1)
3 and inserting “Within 7 days after a professional
4 boxing match of 10 rounds or more, the promoter of
5 that match shall provide to each boxer participating
6 in the match a statement of—”; and

7 (5) by striking “match;” in subsection (b)(1)
8 and inserting “match, and that the promoter has
9 paid, or agreed to pay, to any other person in con-
10 nection with the match;”.

11 **SEC. 15. JUDGES AND REFEREES.**

12 (a) IN GENERAL.—Section 16 (15 U.S.C. 6307h) is
13 amended—

14 (1) by inserting “(a) LICENSING AND ASSIGN-
15 MENT REQUIREMENT.—” before “No person”;

16 (2) by striking “certified and approved” and in-
17 serting “selected”;

18 (3) by inserting “or Indian lands” after
19 “State”; and

20 (4) by adding at the end the following:

21 “(b) CHAMPIONSHIP AND 10-ROUND BOUTS.—In ad-
22 dition to the requirements of subsection (a), no person
23 may arrange, promote, organize, produce, or fight in a
24 professional boxing match advertised to the public as a
25 championship match or in a professional boxing match

1 scheduled for 10 rounds or more unless all referees and
2 judges participating in the match have been licensed by
3 the Administration.

4 “(c) SANCTIONING ORGANIZATION NOT TO INFLU-
5 ENCE SELECTION PROCESS.—A sanctioning
6 organization—

7 “(1) may provide a list of judges and referees
8 deemed qualified by that organization to a boxing
9 commission; but

10 “(2) shall not influence, or attempt to influence,
11 a boxing commission’s selection of a judge or referee
12 for a professional boxing match except by providing
13 such a list.

14 “(d) ASSIGNMENT OF NONRESIDENT JUDGES AND
15 REFEREES.—A boxing commission may assign judges and
16 referees who reside outside that commission’s State or In-
17 dian land if the judge or referee is licensed by a boxing
18 commission in the United States.

19 “(e) REQUIRED DISCLOSURE.—A judge or referee
20 shall provide to the boxing commission responsible for reg-
21 ulating a professional boxing match in a State or on In-
22 dian land a statement of all consideration, including reim-
23 bursement for expenses, that the judge or referee has re-
24 ceived, or will receive, from any source for participation
25 in the match. If the match is scheduled for 10 rounds or

1 more, the judge or referee shall also provide such a state-
2 ment to the Administration.”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) Section 14 (15 U.S.C. 6307f) is repealed.

5 (2) Section 18(b) (15 U.S.C. 6309(b)(2)) is
6 amended by striking “14,” in paragraphs (1) and
7 (2).

8 **SEC. 16. MEDICAL REGISTRY.**

9 The Act is amended by inserting after section 13 (15
10 U.S.C. 6307e) the following:

11 **“SEC. 14. MEDICAL REGISTRY.**

12 (a) IN GENERAL.—The Administration, in consulta-
13 tion with the Association of Boxing Commissions, shall es-
14 tablish and maintain, or certify a third party entity to es-
15 tablish and maintain, a medical registry that contains
16 comprehensive medical records and medical denials or sus-
17 pensions for every licensed boxer.

18 “(b) CONTENT; SUBMISSION.—The Administration
19 shall determine—

20 “(1) the nature of medical records and medical
21 suspensions of a boxer that are to be forwarded to
22 the medical registry; and

23 “(2) the time within which the medical records
24 and medical suspensions are to be submitted to the
25 medical registry.

1 “(c) CONFIDENTIALITY.—The Administration shall
2 establish confidentiality standards for the disclosure of
3 personally identifiable information to boxing commissions
4 that will—

5 “(1) protect the health and safety of boxers by
6 making relevant information available to the boxing
7 commissions for use but not public disclosure; and

8 “(2) ensure that the privacy of the boxers is
9 protected.”.

10 **SEC. 17. CONFLICTS OF INTEREST.**

11 Section 17(a) is amended by inserting “no officer or
12 employee of the Administration,” after “laws,”.

13 **SEC. 18. ENFORCEMENT.**

14 Section 18 (15 U.S.C. 6309) is amended—

15 (1) by striking “(a) INJUNCTION.—” in sub-
16 section (a) and inserting “(a) ACTIONS BY ATTOR-
17 NEY GENERAL.—”;

18 (2) by inserting “or criminal” after “civil” in
19 subsection (a);

20 (3) by striking “section 9(b),” each place it ap-
21 pears in subsection (b) and inserting “section 9,”;

22 (4) by inserting “no officer or employee of the
23 Administration,” after “laws,” in subsection (b)(3);

24 (5) by inserting “has engaged in or” after “or-
25 ganization” in subsection (c);

1 (6) by inserting “or criminal” after “civil” in
2 subsection (c);

3 (7) by striking “fines” in subsection (c)(3) and
4 inserting “sanctions”; and

5 (8) by striking “boxer” in subsection (d) and
6 inserting “person”.

7 **Sec. 19. REPEAL OF DEADWOOD.**

8 Section 20 (15 U.S.C. 6311) is repealed.

9 **SEC. 20. RECOGNITION OF TRIBAL LAW.**

10 Section 22 (15 U.S.C. 6313) is amended—

11 (1) by insert “**OR TRIBAL**” in the section
12 heading after “**STATE**”; and

13 (2) by inserting “or Indian tribe” after
14 “State”.

15 **SEC. 21. ESTABLISHMENT OF UNITED STATES BOXING AD-**
16 **MINISTRATION.**

17 (a) IN GENERAL.—The Act is amended by adding at
18 the end the following:

19 **“TITLE II—UNITED STATES**
20 **BOXING ADMINISTRATION**

- “Sec. 201. Purpose.
- “Sec. 202. Establishment of United States Boxing Administration.
- “Sec. 203. Functions.
- “Sec. 204. Licensing and registration of boxing personnel.
- “Sec. 205. National registry of boxing personnel.
- “Sec. 206. Consultation requirements.
- “Sec. 207. Misconduct.
- “Sec. 208. Noninterference with local boxing authorities.
- “Sec. 209. Assistance from other agencies.
- “Sec. 210. Reports.
- “Sec. 211. Initial implementation.
- “Sec. 212. Authorization of appropriations.

1 **“SEC. 201. PURPOSE.**

2 “The purpose of this title is to protect the health,
3 safety, and welfare of boxers and to ensure fairness in the
4 sport of professional boxing.

5 **“SEC. 202. ESTABLISHMENT OF UNITED STATES BOXING AD-**
6 **MINISTRATION.**

7 “The United States Boxing Administration is estab-
8 lished as an administration of the Department of Labor.

9 “(b) ADMINISTRATOR.—

10 “(1) APPOINTMENT.—The Administration shall
11 be headed by an Administrator, appointed by the
12 President, by and with the advice and consent of the
13 Senate.

14 “(2) QUALIFICATIONS.—The Administrator
15 shall be an individual who—

16 “(A) has experience in professional boxing
17 activities or in a field directly related to profes-
18 sional sports;

19 “(B) is of outstanding character and rec-
20 ognized integrity; and

21 “(C) is selected on the basis of training,
22 experience, and qualifications and without re-
23 gard to party affiliation.

24 “(3) COMPENSATION.—Section 5315 of title 5,
25 United States Code, is amended by adding at the
26 end the following:

1 “The Administrator of the United States Box-
2 ing Administration.”.

3 “(4) TERM OF OFFICE.—The Administrator
4 shall serve for a term of 4 years.

5 “(c) ASSISTANT ADMINISTRATOR; GENERAL COUN-
6 SEL.—The Administration shall have an Assistant Admin-
7 istrator and a General Counsel, who shall be appointed
8 by the Administrator. The Assistant Administrator
9 shall—

10 “(1) serve as Administrator in the absence of
11 the Administrator or in the event of a vacancy in
12 that office; and

13 “(2) carry out such duties as the Administrator
14 may assign.

15 “(d) STAFF.—The Administration shall have such
16 additional staff as may be necessary to carry out the func-
17 tions of the Administration.

18 **“SEC. 203. FUNCTIONS.**

19 “(a) PRIMARY FUNCTIONS.—The primary function of
20 the Administration are—

21 “(1) to protect the health, safety, and general
22 interests of boxers consistent with the provisions of
23 this Act; and

24 “(2) to ensure uniformity, fairness, and integ-
25 rity in professional boxing.

1 “(b) SPECIFIC FUNCTIONS.—The Administrator
2 shall—

3 “(1) administer title I of this Act;

4 “(2) promulgate uniform standards for profes-
5 sional boxing in consultation with the boxing com-
6 missions of the several States and tribal organiza-
7 tions;

8 “(3) except as otherwise determined by the Ad-
9 ministration, oversee all professional boxing matches
10 in the United States;

11 “(4) work with sanctioning organizations, the
12 Association of Boxing Commissions, and the boxing
13 commissions of the several States and tribal
14 organizations—

15 “(A) to improve the safety, integrity, and
16 professionalism of professional boxing in the
17 United States;

18 “(B) to enhance physical, medical, finan-
19 cial, and other safeguards established for the
20 protection of professional boxers; and

21 “(C) to improve the status and standards
22 of professional boxing in the United States;

23 “(5) ensure, through the Attorney General, the
24 chief law enforcement officer of the several States,
25 and other appropriate officers and agencies of Fed-

1 eral, State, and local government, that Federal and
2 State laws applicable to professional boxing matches
3 in the United States are vigorously, effectively, and
4 fairly enforced;

5 “(6) review local boxing authority regulations
6 for professional boxing and provide assistance to
7 such authorities in meeting minimum standards pre-
8 scribed by the Administration under this title;

9 “(7) serve as the coordinating body for all ef-
10 forts in the United States to establish and maintain
11 uniform minimum health and safety standards for
12 professional boxing;

13 “(8) if the Administrator determines it to be
14 appropriate, publish a newspaper, magazine, or
15 other publication and establish and maintain a
16 website consistent with the purposes of the Adminis-
17 tration;

18 “(8) procure the temporary and intermittent
19 services of experts and consultants to the extent au-
20 thorized by section 3109(b) of title 5, United States
21 Code, at rates the Administration determines to be
22 reasonable; and

23 “(9) take any other action that is necessary and
24 proper to accomplish the purpose of this title con-
25 sistent with the provisions of this title.

1 “(c) PROHIBITIONS.—The Administration may not—

2 “(1) promote boxing events or rank professional
3 boxers; or

4 “(2) provide technical assistance to, or author-
5 ize the use of the name of the Administration by,
6 boxing commissions that do not comply with require-
7 ments of the Administration.

8 “(d) USE OF NAME.—The Administration shall have
9 the exclusive right to use the name ‘United States Boxing
10 Administration’. Any person who, without the permission
11 of the Administration, uses that name or any other exclu-
12 sive name, trademark, emblem, symbol, or insignia of the
13 Administration for the purpose of inducing the sale of any
14 goods or services, or to promote any exhibition, perform-
15 ance, or sporting event, shall be subject to suit in a civil
16 action by the Administration for the remedies provided in
17 the Act of July 5, 1946 (commonly known as the ‘Trade-
18 mark Act of 1946’; 15 U.S.C. 1051 et seq.).

19 **“SEC. 204. LICENSING AND REGISTRATION OF BOXING PER-**
20 **SONNEL.**

21 “(a) LICENSING.—

22 “(1) REQUIREMENT FOR LICENSE.—No person
23 may compete in a professional boxing match or serve
24 as a boxing manager, boxing promoter, or sanc-
25 tioning organization for a professional boxing match

1 except as provided in a license granted to that per-
2 son under this subsection.

3 “(2) APPLICATION AND TERM.—

4 “(A) IN GENERAL.—The Administration
5 shall—

6 “(i) establish application procedures,
7 forms, and fees;

8 “(ii) establish and publish appropriate
9 standards for licenses granted under this
10 section; and

11 “(iii) issue a license to any person
12 who, as determined by the Administration,
13 meets the standards established by the Ad-
14 ministration under this title.

15 “(B) DURATION.—A license issued under
16 this section shall be for a renewable—

17 “(i) 4-year term for a boxer; and

18 “(ii) 2-year term for any other person.

19 “(C) PROCEDURE.—The Administration
20 may issue a license under this paragraph
21 through local boxing authorities or in a manner
22 determined by the Administration.

23 “(b) LICENSING FEES.—

24 “(1) AUTHORITY.—The Administration may
25 prescribe and charge fees for the licensing of persons

1 under this title. The Administration may set, charge,
2 and adjust varying fees on the basis of classifica-
3 tions of persons, functions, and events determined
4 appropriate by the Administration.

5 “(2) LIMITATIONS.—In setting and charging
6 fees under paragraph (1), the Administration shall
7 ensure that, to the maximum extent practicable—

8 “(A) club boxing is not adversely effected;

9 “(B) sanctioning organizations and pro-
10 moters pay the largest portion of the fees; and

11 “(C) boxers pay as small a portion of the
12 fees as is possible.

13 “(3) COLLECTION.—Fees established under this
14 subsection may be collected through local boxing au-
15 thorities or by any other means determined appro-
16 priate by the Administration.

17 **“SEC. 205. NATIONAL REGISTRY OF BOXING PERSONNEL.**

18 “(a) REQUIREMENT FOR REGISTRY.—The Adminis-
19 tration, in consultation with the Association of Boxing
20 Commissions, shall establish and maintain (or authorize
21 a third party to establish and maintain) a unified national
22 computerized registry for the collection, storage, and re-
23 trieval of information related to the performance of its du-
24 ties.

1 “(b) CONTENTS.—The information in the registry
2 shall include the following:

3 “(1) BOXERS.—A list of professional boxers
4 and data in the medical registry established under
5 section 114 of this Act, which the Administration
6 shall secure from disclosure in accordance with the
7 confidentiality requirements of section 114(c).

8 “(2) OTHER PERSONNEL.—Information (perti-
9 nent to the sport of professional boxing) on boxing
10 promoters, boxing matchmakers, boxing managers,
11 trainers, cut men, referees, boxing judges, physi-
12 cians, and any other personnel determined by the
13 Administration as performing a professional activity
14 for professional boxing matches.

15 **“SEC. 206. CONSULTATION REQUIREMENTS.**

16 “The Administration shall consult with local boxing
17 authorities—

18 “(1) before prescribing any regulation or estab-
19 lishing any standard under the provisions of this
20 title; and

21 “(2) not less than once each year regarding
22 matters relating to professional boxing.

23 **“SEC. 207. MISCONDUCT.**

24 “(a) SUSPENSION AND REVOCATION OF LICENSE OR
25 REGISTRATION.—

1 “(1) AUTHORITY.—The Administration may,
2 after notice and opportunity for a hearing, suspend
3 or revoke any license issued under this title if the
4 Administration finds that—

5 “(A) the suspension or revocation is nec-
6 essary for the protection of health and safety or
7 is otherwise in the public interest;

8 “(B) there are reasonable grounds for be-
9 lief that a standard prescribed by the Adminis-
10 tration under this title is not being met, or that
11 bribery, collusion, intentional losing, racket-
12 eering, extortion, or the use of unlawful threats,
13 coercion, or intimidation have occurred in con-
14 nection with a license; or

15 “(C) the licensee has violated any provision
16 of this Act.

17 “(2) PERIOD OF SUSPENSION.—

18 “(A) IN GENERAL.—A suspension of a li-
19 cense under this section shall be effective for a
20 period determined appropriate by the Adminis-
21 tration except as provided in subparagraph (B).

22 “(B) SUSPENSION FOR MEDICAL REA-
23 SONS.—In the case of a suspension or denial of
24 the license of a boxer for medical reasons by the
25 Administration, the Administration may termi-

1 nate the suspension or denial at any time that
2 a physician certifies that the boxer is fit to par-
3 ticipate in a professional boxing match. The
4 Administration shall prescribe the standards
5 and procedures for accepting certifications
6 under this subparagraph.

7 “(b) INVESTIGATIONS AND INJUNCTIONS.—

8 “(1) AUTHORITY.—The Administration may—

9 “(A) conduct any investigation that it con-
10 siders necessary to determine whether any per-
11 son has violated, or is about to violate, any pro-
12 vision of this title or any regulation prescribed
13 under this title;

14 “(B) require or permit any person to file
15 with it a statement in writing, under oath or
16 otherwise as the Administration shall deter-
17 mine, as to all the facts and circumstances con-
18 cerning the matter to be investigated;

19 “(C) in its discretion, publish information
20 concerning any violations; and

21 “(D) investigate any facts, conditions,
22 practices, or matters to aid in the enforcement
23 of the provisions of this title, in the prescribing
24 of regulations under this title, or in securing in-
25 formation to serve as a basis for recommending

1 legislation concerning the matters to which this
2 title relates.

3 “(2) POWERS.—

4 “(A) IN GENERAL.—For the purpose of
5 any investigation under paragraph (1), or any
6 other proceeding under this title, any officer
7 designated by the Administration may admin-
8 ister oaths and affirmations, subpoena or other-
9 wise compel the attendance of witnesses, take
10 evidence, and require the production of any
11 books, papers, correspondence, memorandums,
12 or other records which the Administration con-
13 siders relevant or material to the inquiry.

14 “(B) WITNESSES AND EVIDENCE.—The
15 attendance of witnesses and the production of
16 any documents under subparagraph (A) may be
17 required from any place in the United States,
18 including Indian land, at any designated place
19 of hearing.

20 “(3) ENFORCEMENT OF SUBPOENAS.—

21 “(A) CIVIL ACTION.—In case of contumacy
22 by, or refusal to obey a subpoena issued to, any
23 person, the Administration may file an action in
24 any court of the United States within the juris-
25 diction of which an investigation or proceeding

1 is carried out, or where that person resides or
2 carries on business, to enforce the attendance
3 and testimony of witnesses and the production
4 of books, papers, correspondence, memoran-
5 dums, and other records. The court may issue
6 an order requiring the person to appear before
7 the Administration to produce records, if so or-
8 dered, or to give testimony concerning the mat-
9 ter under investigation or in question.

10 “(B) FAILURE TO OBEY.—Any failure to
11 obey an order issued by a court under subpara-
12 graph (A) may be punished as contempt of that
13 Court.

14 “(C) PROCESS.—All process in any con-
15 tempt case under subparagraph (A) may be
16 served in the judicial district in which the per-
17 son is an inhabitant or in which the person may
18 be found.

19 “(4) EVIDENCE OF CRIMINAL MISCONDUCT.—

20 “(A) IN GENERAL.—No person may be ex-
21 cused from attending and testifying or from
22 producing books, papers, contracts, agreements,
23 and other records and documents before the
24 Administration, in obedience to the subpoena of
25 the Administration, or in any cause or pro-

1 ceeding instituted by the Administration, on the
2 ground that the testimony or evidence, docu-
3 mentary or otherwise, required of that person
4 may tend to incriminate the person or subject
5 the person to a penalty or forfeiture.

6 “(B) LIMITED IMMUNITY.—No individual
7 may be prosecuted or subject to any penalty or
8 forfeiture for, or on account of, any transaction,
9 matter, or thing concerning the matter about
10 which that individual is compelled, after having
11 claimed a privilege against self-incrimination, to
12 testify or produce evidence, documentary or
13 otherwise, except that the individual so testi-
14 fying shall not be exempt from prosecution and
15 punishment for perjury committed in so testi-
16 fying.

17 “(5) INJUNCTIVE RELIEF.—If the Administra-
18 tion determines that any person is engaged or about
19 to engage in any act or practice that constitutes a
20 violation of any provision of this title, or of any reg-
21 ulation prescribed under this title, the Administra-
22 tion may bring an action in the appropriate district
23 court of the United States, the United States Dis-
24 trict Court for the District of Columbia, or the
25 United States courts of any territory or other place

1 subject to the jurisdiction of the United States, to
2 enjoin the act or practice, and upon a proper show-
3 ing, the court shall grant without bond a permanent
4 or temporary injunction or restraining order.

5 “(6) MANDAMUS.—Upon application of the Ad-
6 ministration, the district courts of the United
7 States, the United States District Court for the Dis-
8 trict of Columbia, and the United States courts of
9 any territory or other place subject to the jurisdic-
10 tion of the United States, shall have jurisdiction to
11 issue writs of mandamus commanding any person to
12 comply with the provisions of this title or any order
13 of the Administration.

14 “(d) INTERVENTION IN CIVIL ACTIONS.—

15 “(1) IN GENERAL.—The Administration, on be-
16 half of the public interest, may intervene of right as
17 provided under rule 24(a) of the Federal Rules of
18 Civil Procedure in any civil action relating to profes-
19 sional boxing filed in a United States district court.

20 “(2) AMICUS FILING.—The Administration may
21 file a brief in any action filed in a court of the
22 United States on behalf of the public interest in any
23 case relating to professional boxing.

24 “(e) HEARINGS BY ADMINISTRATION.—Hearings
25 conducted by the Administration under this title shall be

1 public and may be held before any officer of the Adminis-
2 tration or before a boxing commission that is a member
3 of the Association of Boxing Commissions. The Adminis-
4 tration shall keep appropriate records of the hearings.

5 **“SEC. 208. NONINTERFERENCE WITH LOCAL BOXING AU-**
6 **THORITIES.**

7 “(a) NONINTERFERENCE.—Nothing in this title pro-
8 hibits any local boxing authority from exercising any of
9 its powers, duties, or functions with respect to the regula-
10 tion or supervision of professional boxing or professional
11 boxing matches to the extent not inconsistent with the pro-
12 visions of this title.

13 “(b) MINIMUM STANDARDS.—Nothing in this title
14 prohibits any local boxing authority from enforcing local
15 standards or requirements that exceed the minimum
16 standards or requirements promulgated by the Adminis-
17 tration under this title.

18 **“SEC. 209. ASSISTANCE FROM OTHER AGENCIES.**

19 “Any employee of any executive department, agency,
20 bureau, board, commission, office, independent establish-
21 ment, or instrumentality may be detailed to the Adminis-
22 tration, upon the request of the Administration, on a reim-
23 bursable or nonreimbursable basis, with the consent of the
24 appropriate authority having jurisdiction over the em-
25 ployee. While so detailed, an employee shall continue to

1 receive the compensation provided pursuant to law for the
2 employee's regular position of employment and shall re-
3 tain, without interruption, the rights and privileges of that
4 employment.

5 **“SEC. 210. REPORTS.**

6 “(a) ANNUAL REPORT.—The Administration shall
7 submit a report on its activities to the Senate Committee
8 on Commerce, Science, and Transportation and the House
9 of Representatives Committee on Commerce each year.
10 The annual report shall include the following:

11 “(1) A detailed discussion of the activities of
12 the Administration for the year covered by the re-
13 port.

14 “(2) A description of the local boxing authority
15 of each State and Indian tribe.

16 “(b) PUBLIC REPORT.—The Administration shall an-
17 nually issue and publicize a report of the Administration
18 on the progress made at Federal and State levels and on
19 Indian lands in the reform of professional boxing, which
20 shall include comments on issues of continuing concern to
21 the Administration.

22 “(c) FIRST ANNUAL REPORT ON THE ADMINISTRA-
23 TION.—The first annual report under this title shall be
24 submitted not later than 2 years after the effective date
25 of this title.

1 **“SEC. 211. INITIAL IMPLEMENTATION.**

2 “(a) TEMPORARY EXEMPTION.—The requirements
3 for licensing under this title do not apply to a person for
4 the performance of an activity as a boxer, boxing judge,
5 or referee, or the performance of any other professional
6 activity in relation to a professional boxing match, if the
7 person is licensed by a boxing commission to perform that
8 activity as of the effective date of this title.

9 “(b) EXPIRATION.—The exemption under subsection
10 (a) with respect to a license issued by a boxing commission
11 expires on the earlier of—

12 “(A) the date on which the license expires;

13 or

14 “(B) the date that is 2 years after the date
15 of the enactment of the Professional Boxing
16 Amendments Act of 2002.

17 **“SEC. 212. AUTHORIZATION OF APPROPRIATIONS.**

18 “(a) IN GENERAL.—There are authorized to be ap-
19 propriated for the Administration for each fiscal year such
20 sums as may be necessary for the Administration to per-
21 form its functions for that fiscal year.

22 “(b) RECEIPTS CREDITED AS OFFSETTING COLLEC-
23 TIONS.—Notwithstanding section 3302 of title 31, United
24 States Code, any fee collected under this title—

1 “(1) shall be credited as offsetting collections to
2 the account that finances the activities and services
3 for which the fee is imposed;

4 “(2) shall be available for expenditure only to
5 pay the costs of activities and services for which the
6 fee is imposed; and

7 “(3) shall remain available until expended.”.

8 (b) CONFORMING AMENDMENTS.—The Act, as
9 amended by this Act, is amended—

10 (1) by inserting before section 1 the following:

11 **“TITLE I—PROFESSIONAL**
12 **BOXING SAFETY”** ;

13 (2) by redesignating sections 1, 2, 3, 4, 5, 6,
14 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, and
15 22 as sections 101 through 120, respectively;

16 (3) by striking “section 4.” in section 116(a),
17 as redesignated, and inserting “section 114.”;

18 (4) by striking “9, 10, 11, 12, 13, or 16” each
19 place it appears in subsection (b) of section 117, as
20 redesignated, and inserting “109, 110, 111, 112,
21 113, or 116”;

22 (5) by striking “17(a)” in subsection (b)(3) of
23 section 117, as redesignated, and inserting
24 “117(a)”;

1 (6) by striking “section 10” in subsection (e)(3)
2 of section 117, as redesignated, and inserting “sec-
3 tion 110”; and

4 (7) by striking “of this Act” each place it ap-
5 pears in sections 101 through 120, as redesignated,
6 and inserting “of this title”.

7 **SEC. 22. EFFECTIVE DATE.**

8 (a) IN GENERAL.—Except as provided in subsection
9 (b), the amendments made by this Act shall take effect
10 on the date of enactment of this Act.

11 (b) 1-YEAR DELAY FOR CERTAIN TITLE II PROVI-
12 SIONS.—Sections 205 through 212 of the Professional
13 Boxing Safety Act of 1996, as added by section 22(a) of
14 this Act, shall take effect 1 year after the date of enact-
15 ment of this Act.

○